



PATENT
Attorney Docket No. 11051US03/200-85

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#9

In re Application of:

MARC D. BETTER

Serial No.: 09/811,933

Filing Date: March 19, 2001

For: Improved Methods and Cells for
Expression of Recombinant Protein
Products Under the Transcriptional
Control of an Inducible Promotor

Examiner: Terry A. McKelvey

Group Art Unit No.: 1636

EXPRESS MAIL NO. EL 848996533 US

DATE OF MAILING: October 25, 2002

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RESPONSE TO OFFICE ACTION OF JUNE 25, 2002
WITH RESTRICTION REQUIREMENT

TECH CENTER 1600/2900

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed June 25, 2002, Applicant elects Group III claims. Group III consisted of original claims 1-5, 8-9, 18-22, 25-30, 33-39, 42-47, and 50-51, stated by the Examiner as drawn to method for producing a recombinant protein only as drawn to use of a cell deficient in both araE and araFGH gene arabinose transporter systems.

Group I consisted of original claims 1-6, 9, 18-23, 26-31, 34-40, 43-48, and 51, stated by the Examiner as drawn to method for producing a recombinant protein only as drawn to use of a cell deficient in only the araE gene arabinose transporter system.

Group II consisted of original claims 1-5, 7, 9, 18-22, 24, 26-30, 32, 34-39, 41, 43-47, 49, and 51, stated by the Examiner as drawn to method for producing

a recombinant protein only as drawn to use of a cell deficient in only the araFGH gene arabinose transporter system.

Group IV consisted of original claims 10-15, stated by the Examiner as only drawn to bacterial host cell deficient in the araE gene arabinose transporter system.

Group V consisted of original claims 10-14 and 16, stated by the Examiner as only drawn to bacterial host cell deficient in the araFGH gene arabinose transporter system.

Group VI consisted of original claims 10-14 and 17, stated by the Examiner as only drawn to bacterial host cell deficient in both the araE and araFGH gene arabinose transporter systems.

This response is timely filed, as a Petition for a Three-Month Extension of Time, with a check for the required fee of \$460.00, is submitted herewith, making the response due on October 25, 2002.

Applicant's election of Group III, claims 1-5, 8-9, 18-22, 25-30, 33-39, 42-47, and 50-51, is hereby made without prejudice to Applicant's right to pursue the non-elected claims in one or more divisional applications. The Examiner is invited to telephone Applicant's representative if the Examiner believes, for any reason, that personal communication would expedite the prosecution of this application.

Respectfully submitted,

Date: October 25, 2002



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